

FILED

MAR 26 2018

**Clerk, U.S. District & Bankruptcy
Courts for the District of Columbia**

Civil Action No. 18-0299 (UNA)

The decision to grant or deny a petition for a writ of certiorari is within the Supreme Court's discretion, and the plaintiff's attempt to circumvent this discretionary process is not a claim over which this Court has subject matter jurisdiction. *See Gillenwater v. Harris*, No. 16-CV-495, 2016 WL 8285811, at *1 (D.D.C. Apr. 12, 2016) (dismissing case for lack of jurisdiction where plaintiff sought "a declaratory judgment that a statute and rule governing filings in the Supreme Court [were] unconstitutional"), *aff'd*, No. 16-5107, 2016 WL 6915556 (D.C. Cir. Oct. 5, 2016), *cert. denied*, U.S. , 137 S. Ct. 1346 (2017). Furthermore, "[t]his

court is not a reviewing court and cannot compel Supreme Court justices or other Article III judges in this or other districts or circuits to act.” *Sibley v. U.S. Supreme Court*, 786 F. Supp. 2d 338, 345 (D.D.C. 2011), *aff’d*, No. 11-5164, 2011 WL 4376121 (D.C. Cir. 2011) (per curiam); *see Panko v. Kodak*, 606 F.2d 168, 171 n.6 (7th Cir. 1979), *cert. denied*, 444 U.S. 1081 (1980) (“It seems axiomatic that a lower court may not order the judges or officers of a higher court to take an action.”).

The Court will grant the plaintiff’s application to proceed *in forma pauperis* and will dismiss the complaint. An Order consistent with this Memorandum Opinion is issued separately.

DATE:

3/22/18


United States District Judge